

S/N 09/512,894

Attorney Ref. No.: 33-759

REMARKS

Applicants have amended claims 19 and 21 to recite that the guide, support structure and/or single rail assembly are “centered with respect to the diaphragm,” and further that leg assembly extends “beneath the diaphragm on both sides of said rail assembly.” Accordingly, all of the pending claims, the status of which is attached hereto, are in condition for allowance. Although presented previously, Applicants have again presented claims 73 and 74 with underlining as requested by the Examiner.

Applicants respectfully disagree with the Examiner’s assertion that the address of John V. Machado is missing from the Reissue Declaration. Indeed, the form of the Machado designation is the same as that for inventor Michael Oberth, and provides all requisite information (albeit spaced above the designated line).

In addition, the Declaration specified at least one error being corrected. The noted error to claim 1 still applies, and has been rectified by the presentation of at least claims 18, 20 and 21, none of which recite “an array of fender panels extending alongside the diaphragms” (see Declaration). Applicants further submit that no additional Supplemental Declaration under 37 CFR 1.175(b)(1) is required, but will submit one upon request.


If for any reason this application is not considered to be in condition for allowance and an interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to call the undersigned attorney at (312) 321-4713.

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Respectfully Submitted,

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By:



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CLAIM APPENDIX

19. (Twice Amended) In a highway crash cushion of the type comprising a diaphragm and at least one energy absorbing element disposed adjacent the diaphragm, the improvement comprising:

a support structure comprising a single rail assembly disposed under the crash cushion and comprising a first end and a second end, the support structure being anchored to a support surface between the first and second ends and being substantially centered with respect to the diaphragm,

a guide coupled to the diaphragm and substantially centered with respect to the diaphragm,

the guide mounted to slide along the support structure and to restrict movement of the diaphragm with respect to the support structure in at least one lateral direction,

the diaphragm coupled to a leg assembly extending beneath the diaphragm on both sides of the rail assembly [at least one side outboard of the support structure] to support the diaphragm on the support surface.

21. (Twice Amended) In a highway crash cushion of the type comprising a diaphragm and at least one energy absorbing element disposed adjacent the diaphragm, the improvement comprising:

a support structure comprising a single rail assembly disposed under crash cushion and anchored to a support surface, said single rail assembly substantially centered with respect to the diaphragm,

a guide coupled to the diaphragm and substantially centered with respect to the diaphragm,

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the guide mounted to slide along the support structure and to restrict movement of the diaphragm with respect to the support structure in at least one lateral direction, the guide mounted to slide along the support structure without extending below a lower surface of the support structure,

the diaphragm coupled to a leg assembly extending beneath the diaphragm on both sides of said rail assembly [at least one side outboard of the support structure] to support the diaphragm on the support surface.

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STATUS OF CLAIMS

1. Claims 1-19 are pending.
2. Claim 20 is cancelled.
3. Claims 21-28 are pending
4. Claim 29 is cancelled.
5. Claims 30-32 are pending.
6. Claims 33-35 are cancelled.
7. Claims 36 and 37 are pending
8. Claim 38 is cancelled.
9. Claims 39-63 are pending.
10. Claims 64-66 are cancelled.
11. Claims 67 and 68 are pending
12. Claims 69 and 70 are cancelled.
13. Claims 71-74 are pending.